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FILED
~~DISTRICT COURT OF GUAM~~

JUL 11 2002

MARY L. MORAN
CLERK OF COURT

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7 **IN THE UNITED STATES DISTRICT COURT**
8 **DISTRICT COURT OF GUAM**

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10 ALICE N. SALAS,

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12 Plaintiff,

13 vs.

14 JAMES JI ENTERPRISE, JJ PACIFIC
DEVELOPMENT CORPORATION, JAMES JI,
and HUANG LEE,

15 Defendants.
16

CIVIL CASE NO. CV02-00002

**MOTION TO ENLARGE TIME
AND MEMORANDUM OF
POINTS AND AUTHORITIES**

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18 COMES NOW Defendants James Ji Enterprises, Inc., JJ Pacific Development Corporation,
19 James Ji and Huang Ho-Lee, by and through undersigned legal counsel, and move for an
20 enlargement of the Discovery cut-off date, the Motion cut-off date, the times for disclosure, the
21 Preliminary Pre-Trial Conference, the Proposed Pre-Trial Order, the Final Pre-Trial Conference, and
22 the Trial date in this matter as set forth in the scheduling Order dated May 13, 2002. Defendants
23 motion is based on the attached Memorandum of Points and Authorities, and the record on file.

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25 **MEMORANDUM OF POINTS AND AUTHORITIES**
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5 **FACTS**

6 A Scheduling Order in the above captioned matter was entered by this Court on May 13,
7 2002. Counsel for Defendants were recently retained, thus there is a need to enlarge the dates set
8 by this Court.

9 Plaintiffs counsel was contacted on June 25, 2002, and has no objection to the request for an
10 enlargement of time.

11 **ARGUMENT**

12 Rule 6 (b) of the Federal Rules of Civil Procedure states:

13 **Enlargement.** When by these rules or by a notice given thereunder or by order of
14 court and act is required or allowed to be done at or within a specified time, the court
15 for cause shown may at any time in its discretion (1) with or without motion or notice
16 order the period enlarged if request therefore is made before the expiration of the
17 period originally prescribed or as extended by a previous order, or (2) upon motion
made after the expiration of the specified period permit the act to be done where the
failure to act was the result of excusable neglect; but it may not extend time for
taking any action under Rules 50 (b) and (c) (2), 52 (b), 59 (b), (d) and (e), 60 (b) and
74 (a), except to the extent under the conditions stated in them.

18 Defendants request that the Court enlarge the dates as set forth in the Scheduling Order in
19 the above-captioned matter due to the recent entry of appearance of counsel in this case.

20 Defendants' Motion is based on good cause and should therefore be granted.

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23 Respectfully submitted,

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25 Dated: 07/09/02

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27 MONICA VALLE, ESQ.
28 Berman O'Connor Mann & Shklov